```
MITCHELL D. GLINER, ESQ.
   Nevada Bar #003419
   3017 West Charleston Blvd., #95
 2
   Las Vegas, NV 89102
    (702) 870-8700
3
    (702) 870-0034 Fax
   Attorney for Plaintiff
4
 5
                       UNITED STATES DISTRICT COURT
 6
                            DISTRICT OF NEVADA
 7
   JAMES K. LASSITER
 8
         Plaintiff,
 9
                                        No.
   vs.
10
   RELIANT CAPITAL SOLUTIONS,
11
   LLC, a foreign
    Limited-Liability Company
12
         Defendant.
13
                                         JURY DEMANDED
14
                                COMPLAINT
15
                               JURISDICTION
16
         1.
              The jurisdiction of this Court attains pursuant to the
17
    FDCPA, 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332,
18
   and the doctrine of supplemental jurisdiction. Venue lies in the
19
    Southern Division of the Judicial District of Nevada as Plaintiff's
20
    claims arose from acts of the Defendant(s) perpetrated therein.
21
                          PRELIMINARY STATEMENT
22
         2.
              This action is instituted in accordance with and to
   remedy Defendant's violations of the Federal Fair Debt Collection
```

Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and

of related state law obligations brought as supplemental claims

24

25

26

27

28

hereto.

- 3. In 2010, Defendant initiated a campaign of abusive, unfair, unreasonable, and unlawful debt collection activity directed against Plaintiff.
- 4. As a result of these and other violations of law, Plaintiff seeks hereby to recover actual and statutory damages together with reasonable attorney's fees and costs.

PARTIES

- 5. Plaintiff, James K. Lassiter, is a natural person who resides in Las Vegas, Nevada, and is a "consumer" as defined by 15 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by 15 U.S.C. Section 1692a(5).
- 6. Defendant, Reliant Capital Solutions, LLC (RCS) is a foreign corporation, the principal purpose of whose business is the collection of debts, operating a debt collection agency from its principal place of business in Blacklick, OH, and regularly collects or attempts to collect debts owed or due or asserted to be owed or due another, and is a "debt collector" as defined by 15 U.S.C. Section 1692a(6).

FACTUAL ALLEGATIONS

- 7. Plaintiff(s) repeat, reallege and assert all factual allegations contained in the preliminary statement to this Complaint and reassert them as incorporated in full herein.
- 8. The alleged debt underlying this action pertains to Plaintiff's student loan.
- 9. On or about March 19, 2010, Plaintiff called Defendant to try to work out payments.

- 10. The collector immediately treated Plaintiff severely in violation of FDCPA § 1692d.
- 11. Defendant's collector accused Plaintiff of screwing up his life and purposely quitting school as well as other personal attacks unrelated to payment.
- 12. This resulted in Plaintiff's March 25, 2010, letter recounting Defendant's awful behavior (Exhibit 1).
- 13. Exhibit 1 also explicitly advised Defendant of Plaintiff's refusal to pay.
- 14. Exhibit 1 was received by Defendant on March 29, 2010, (Exhibit 2).
- 15. Plaintiff's written refusal to pay required Defendant to cease and desist all collection communications in accordance with FDCPA § 1692c(c):
 - (c) Ceasing communication If a consumer notifies a debt collector in writing that the consumer refuses to pay a debt or that the consumer wishes the debt collector to cease further communication with the consumer, the debt collector shall not communicate further with the consumer with respect to such debt.
- 16. On or about April 14, 2010, at approximately 8:30 A.M., Plaintiff was called by Defendant's collector who identified herself as Ms. Conrad.
- 17. Conrad refused to provide her given name when politely asked.

- 4 5

- 18. Conrad demanded full payment of the underlying student loan to University of Phoenix in violation of FDCPA § 1692c(C).
- 19. The foregoing acts and omissions of Defendant were undertaken by it willfully, maliciously, and intentionally, knowingly, and/or in gross or reckless disregard of the rights of Plaintiff.
- 20. Indeed, the foregoing acts and omissions of Defendant were undertaken by it indiscriminately and persistently, as part of its regular and routine debt collection efforts, and without regard to or consideration of the identity or rights of Plaintiff.
- 21. As a proximate result of the foregoing acts and omissions of Defendant, Plaintiff has suffered actual damages and injury, including, but not limited to, stress, humiliation, mental anguish and suffering, and emotional distress, for which Plaintiff should be compensated in an amount to be proven at trial.
- 22. As a result of the foregoing acts and omissions of Defendant, and in order to punish Defendant for its outrageous and malicious conduct, as well as to deter it from committing similar acts in the future as part of its debt collection efforts, Plaintiff is entitled to recover punitive damages in an amount to be proven at trial.

CAUSES OF ACTION

COUNT I

- 23. The foregoing acts and omissions of Defendant constitute violations of the FDCPA, including, but not limited to, Sections 1692c, 1692d and 1692e.
- 24. Plaintiff is entitled to recover statutory damages, actual damages, reasonable attorney's fees, and costs.

1	COUNT II			
2	25. The foregoing acts and omissions constitute unreasonable			
3	debt collection practices in violation of the doctrine of Invasion			
4	of Privacy. Kuhn v. Account Control Technology, Inc., 865 F. Supp.			
5	1443, 1448-49 (D. Nev. 1994); Pittman v. J. J. Mac Intyre Co. of			
6	Nevada, Inc., 969 F. Supp. 609, 613-14 (D. of Nev. 1997).			
7	26. Plaintiff is entitled to recover actual damages as well			
8	as punitive damages in an amount to be proven at trial.			
9	JURY DEMANDED			
10	Plaintiff hereby demands trial by a jury on all issues so			
11	triable.			
12	WHEREFORE, Plaintiff prays that this Honorable Court grant the			
13	following relief:			
14	1. Award actual damages.			
15	2. Award punitive damages.			
16	3. Award statutory damages of \$1,000 pursuant to 15 U.S.C.			
17	§ 1692k.			
18	4. Award reasonable attorney fees.			
	5. Award costs.			
19	6. Grant such other and further relief as it deems just and			
20	proper.			
21	Respectfully submitted,			
22	/S/ Mitchell D. Gliner			
23	MITCHELL D. GLINER, ESQ. Nevada Bar #003419			
24	3017 West Charleston Boulevard Suite 95			
25	Las Vegas, NV 89102 Attorney for Plaintiff			
26				
27				

March 25, 2010

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Reliant Capital Solutions, LLC Payment Processing Center P. O. Box 30469 Columbus, OH 43230-0469

Dear Sir:

I attach your February 9, 2010, correspondence.

Last week I had the incredible displeasure to speak with your collector who was horribly nasty and condescending. I really despise being treated like non-entity trash and I 'refuse to pay' you really horrible people any money at all. Next time try investing a little bit of humanity in your conduct.

Happy Easter.

Thank you.

Sincerely,

James Lassiter

Enclosure

EXHISIT /

HAL SOLUTIONS LLC

Case 2:10-cv-00542-RLH-RJJ Document 1 Filed 04/15/10 Page Grost Cointe Rd. Suite G Gahanna, OH 43230-6692 Toll Free #:1-866-547-5413

> Hours of Operation (EST): Mon - Fri 8:00am -- 9:00pm



February 09, 2010 Re Acct#: 9029060780

Creditor: UNIVERSITY OF PHOENIX

Total Due: \$2,060.00

Acceptable Methods of Payment: Cash, Check. Money Order, Visa or MC

Dear James K Lassiter,

We are writing to you because your account with UNIVERSITY OF PHOENIX is seriously delinquent. Our client desires to bring this matter to a close and reclaim you as a customer in good standing. This notice is to inform you that this office represents UNIVERSITY OF PHOENIX regarding the past due balance listed below.

Creditor UNIVERSITY OF PHOENIX

Account # 9029060780 Total Balance Due \$2,060,00

Grand Total

\$2,060,00

Please use the attached payment coupon to make payment by credit card or send a cashier's check, money order, or other verified funds to the address listed on the payment coupon below.

For further information or to make your payment by phone, please call 1-866-547-5413 to speak with a recovery specialist. Please refer to your file number when calling: 10083722.

You are hereby notified that a negative credit report reflecting on your credit record may be submitted to a reporting agency if you fail to fulfill the terms of your credit obligations.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request of this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

***Please Detach and Return This Portion	on with Payment – Ma	ike Sure the "Remit to" Address Appears Through Window	
Reliant Capital Solutions, LLC		UJSA PAYMENT AMOUNT: S	
PO Box 30469	003266	CARDHOLDER NAME:	
COLUMBUS, OH 43230-0469		CARDHOLDER SIGNATURE:	
		CREDIT CARD NUMBER:	
		EXPIRATION DATE: / SECURITY CODE:	

A 3% convenience fee will be charged on all credit card transactions. *** Convenience fees will not be assessed in CT

> 144441644144141444444444444444444 RELIANT CAPITAL SOLUTIONS, LLC PAYMENT PROCESSING CENTER P.O. BOX 30469 COLUMBUS, OH 43230-0469

Hoteldrondlahillmildinlahidadlahilatidatidadid 22570**AUTO**SCH 3-DIGIT 890 James K Lassiter 9543 Sunshade Ct Las Vegas NV 89147-6715

File#: 10083722

7022679762

Total Duc: \$2,060.00 03/22/2010 23:01

7.0 PAGE **LASSITER**

12

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY			
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Acticle Address	A Signature X			
POBOX 30469	3. Service Park Certified Mail			
2. Article Number 7005 257 (Transfer from service label)	20 0000 3475 9181			
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540				

EXHISIT 2